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IRAQI AGGRESSION AND THE CONTINUED OCCUPATION OF KUWAIT IN FLAGRANT VIOLATION OF THE CHARTER OF THE UNITED NATIONS

SECURITY COUNCIL
Forty-sixth year

Note verbale dated 26 December 1990 from the Permanent Mission of Qatar to the United Nations addressed to the Secretary-General*

The Permanent Mission of the State of Qatar to the United Nations presents its compliments to the Secretary-General and has the honour to forward under cover of this note:

1. The final communiqué of the eleventh session of the Supreme Council of the States members of the Gulf Co-operation Council, held at Doha, Qatar from 22 to 25 December 1990 (annex I);

2. The Doha Declaration, also adopted by the above-mentioned session of the Supreme Council (annex II).

The Permanent Mission of the State of Qatar to the United Nations requests the Secretary-General to circulate the enclosed texts as official documents of the General Assembly under agenda items 35 and 153, and of the Security Council.

* Previously issued under the symbol A/45/908.

ANNEX I

Final communiqué of the eleventh session of the Supreme Council of the Gulf Co-operation Council, held at Doha, Qatar, from 22 to 25 December 1990

At the invitation of His Highness Sheikh Khalifa Bin Hamad Al Thani, Amir of the State of Qatar, and with the help of God and in His keeping, the eleventh session of the Supreme Council of the Gulf Co-operation Council was held at Doha from 22 to 25 December 1990. The following were present:

His Highness Sheikh Zayed bin Sultan Al Nahayan, President of the United Arab Emirates;

His Highness Sheikh Khalifa Bin Sulman Al Khalifa, Prime Minister of the State of Bahrain;

The Custodian of the Two Holy Mosques, King Fahd Bin Abdul-Aziz Al Saud, King of Saudi Arabia;

His Majesty Sultan Quboo Bin Said, Sultan of Oman;

His Highness Sheikh Khalifa Bin Hamad Al Thani, Amir of the State of Qatar;

His Highness Sheikh Jaber Al-Ahmad Al-Jaber Al-Sabah, Amir of Kuwait.

Aggression of the Iraqi régime against Kuwait

The Supreme Council studied the grave situation in the region created by the Iraqi régime's occupation of the sovereign State of Kuwait and the threat that it poses to the security and integrity of the States members of the Gulf Co-operation Council. It considered the consequent bloodbath and displacement of innocent people, both nationals and residents of Kuwait, and the actions involving arrest, torture, looting and desecration carried out in an attempt to destroy Kuwait's identity and put an end to its existence. The Supreme Council further discussed the after-effects of that aggression and its grave consequence for the security and stability of the Gulf region and the Arab world and for international peace and security.

Renewing its vigorous condemnation of the Iraqi régime for its blatant and iniquitous aggression against the State of Kuwait and for its persistent refusal to comply with the principles set forth in the Pact of the League of Arab States, in resolution 195 of the Arab Summit Conference, in the Charter of the United Nations and in the resolutions of the Security Council relating to the aggression against the State of Kuwait, the Supreme Council affirms that the Governments and peoples of its member States will stand by the State of Kuwait in its ordeal, will support it unconditionally and will act in full solidarity with its people and Government in their holy war until complete liberation is achieved.

The Supreme Council commends the people of Kuwait in its steadfast rejection of the occupation and its loyalty to the legitimate Government under the leadership of His Highness Sheikh Jaber Al-Ahmad Al-Jaber Al-Sabah; it expresses its admiration of the sacrifices made by that people in the face of intimidation, coercion, maltreatment and random executions; it salutes its continued resistance and determination to vanquish the forces of evil and aggression; and it expresses its pride in the cohesion of the unified Kuwaiti family as embodied in the Kuwaiti People's Congress held at Jeddah.

The Council, bearing in mind the efforts to avert a tragedy that were made severally and collectively by its member States both before and after the iniquitous Iraqi invasion of the State of Kuwait on 2 August 1990, and recalling their sincere and earnest endeavour to reach a peaceful solution, expresses its appreciation for the good offices exercised by certain leaders of brotherly and friendly countries in an attempt to persuade the Iraqi régime to conform with inter-Arab legitimacy, in accordance with the resolutions adopted by the Arab Summit Conference, and with international legitimacy, in accordance with the resolutions adopted by the United Nations Security Council. It reaffirms the stand taken by the GCC countries against the Iraqi aggression, their determination to resist it and their resolve to remove all of its effects and consequences, and it does so on the grounds that an attack on any member State is an attack on all member States, that the security of the GCC countries is an integral whole and that the aggression of the Iraqi régime against the State of Kuwait constitutes aggression against all the GCC countries. The Council reiterates its call to the Iraqi leadership to respect international covenants and international custom, to honour the agreements and treaties that it has concluded with the State of Kuwait and to assume a disposition for peace in order to safeguard the accomplishments of the Iraqi people and avoid squandering the assets, capacities and blood of its sons in a confrontation that can only bring it loss and destruction. It calls upon the Iraqi leadership to begin immediately and without reservations or conditions the withdrawal of its forces from all the territory of the State of Kuwait so that the legitimate authority may be restored before 15 January 1991 and the fraternal Iraqi people and the peoples of the region and the world spared the horrors of a devastating war. The Council further demands that the Iraqi régime must respect the status of civilians and ensure the safety of their lives and property and must safeguard private and public installations and property in accordance with Islamic law, the provisions of the 1949 Geneva Convention relative to the Protection of Civilian Persons in Time of War and the international humanitarian covenants and conventions.

The Council holds Iraq responsible for the payment of compensation for losses and damage caused by the invasion and suffered by Kuwaiti government departments and public and private banks, agencies, establishments and corporations and for the seizure and transfer outside Kuwait of their property, funds and deposits. It affirms the legal right of Kuwaitis and third country nationals who have suffered damage to receive just compensation for the loss or damage incurred by them as a result of the iniquitous Iraqi aggression.

In the framework of political and diplomatic efforts to strengthen the unanimity of the Arab and international consensus rejecting the aggression and to ensure the implementation of the relevant United Nations resolutions, the Council decided to entrust to a committee of Ministers for Foreign Affairs of member States the task of making joint visits to the countries of States permanent members of the Security Council, a number of Arab countries and other important countries.

Recalling the principles set forth in the Muscat Declaration, adopted by the Council at its tenth session, which affirms the fundamental legal norms by which the GCC countries will be bound in their international dealings, namely the principles of good-neighbourliness and mutual respect for national sovereignty, non-interference in the internal affairs of States, respect for the sovereignty, independence and territorial integrity of States, the non-use of force or threat of use of force by States and the adoption of dialogue and negotiations as an effective means for the settlement of disputes, the Council expresses the hope that the Iraqi régime will respond to the requirements of inter-Arab and international legitimacy while it stresses, at the same time, the right and indeed the determination of the GCC countries to use all necessary means to ensure the restoration of sovereignty and legitimacy to Kuwait.

The Council expresses its appreciation and gratitude to all the Arab, Islamic and friendly countries that have stood by the truth and supported legitimacy and that have condemned the aggression and sought its reversal, in compliance with the resolutions backed by inter-Arab and international legitimacy, by responding to the request of the GCC countries to deploy their forces alongside the Gulf forces and assist them in their defensive task. At the same time, it stresses that the Arab, Islamic and friendly forces dispatched at the request of the Gulf States shall return to their own countries when the GCC countries request them to do so with the removal of the causes requiring their presence, namely the Iraqi occupation of Kuwait and the threat posed to the States members of the Gulf Co-operation Council. The Council affirms that such honourable attitudes will reflect positively on the relations, in all fields, of the GCC countries with the Arab, Islamic and friendly countries in question.

Functioning of the Gulf Co-operation Council

The Supreme Council reviewed the various stages through which joint action had advanced in the political, security, military, economic and social fields. It considered ways in which co-operation and integration among member States could be advanced on the basis of the purposes and principles set forth in the GCC Statute, taking account of security developments in the region in the light of the treacherous invasion by Iraqi forces of the territory of the State of Kuwait, of the changes and developments observed in the inter-Arab arena affecting the essential character of the inter-Arab order and of the changes taking place in the world as a result of the redrawing of the international order.

The Supreme Council affirms its desire to quicken the pace of the Gulf Co-operation Council and, given their absolute conviction of their common destiny and their unity of purpose, to bring about a qualitative shift in the future collective action of its member States so as to achieve greater co-ordination, integration and cohesion among them.

The Council notes with great satisfaction the developing security and military co-operation among member States in the current difficult circumstances affecting the region as a result of Iraq's disdain for internationally endorsed values and covenants and its defiance of the will of the international community. It records its pride in the united stand taken by the GCC countries against Iraqi aggression and in their determination to resist that aggression.

In the belief that it is essential to achieve a greater degree of security and military co-operation among member States, particularly in the light of Iraq's occupation of the territory of the State of Kuwait and the threat that it poses to the security of the other GCC countries, they endorsed the recommendations made by the Ministers of Defence with regard to strengthening the self-defence capabilities of member States.

The Supreme Council reviewed the progress made by economic action and expressed its satisfaction at the achievements of joint action in that field. It affirmed its resolve to pursue such action in order to realize the aspirations of the citizens of the GCC countries and their desire to carry through the steps taken towards economic integration. For that purpose, the Supreme Council instructed the Committee on Financial and Economic Co-operation to take the necessary measures to develop new concepts of joint economic action in order to expedite the achievement of economic integration, to elaborate a programme to follow through on the establishment of a Gulf Common Market, to reach agreement on a uniform trade policy, to evaluate economic co-operation and to examine the provisions of the economic agreement and its modalities of implementation with a view to deriving from it new advantages that would enable the citizens of the GCC countries to make fresh gains in welfare and growth.

The security situation in the region

With the greatest regret, the Supreme Council notes the deteriorating security situation in the Gulf region as a result of the Iraqi régime having seen fit to invade the territory of the State of Kuwait and to bring the entire region to the brink of a devastating war without regard for the consequences for the fraternal Iraqi people, the Arab nation and the world as a whole.

Convinced that the maintenance of security and stability and the assurance of the integrity of this vital and important region of the world serves the interests of the countries of the region, the Arab nation and the world as a whole, the Council affirms its desire to do all that is possible to ensure the security and stability of the region and its constituent countries. It declares its resolve to increase the effectiveness of co-operation among the GCC countries, to strengthen their individual and collective defensive capabilities and to do everything possible to advance the interests of the security and prosperity of the countries of the region and to promote world peace. In this connection, it appreciates in particular the role being played by the Arab States that stand by inter-Arab legitimacy, and it looks forward to acting in co-ordination with them in surmounting the tragedy brought about by the iniquitous Iraqi aggression and to working alongside them in bringing about reconciliation, promoting Arab unanimity

and achieving a stronger and more cohesive inter-Arab order. At the same time, and given the prevailing climate of international reconciliation and the clear trend towards the establishment of a new world order, the GCC countries, together with the countries of the region and the Arab and international community, will strive for the elaboration of appropriate arrangements to ensure that there will be no repetition of such aggression and establish the basis to guarantee the security and integrity of the region and promote the goals of international peace and security.

The current Arab situation

The Council studied the deterioration in inter-Arab relations resulting from the Iraqi régime's mockery of Arab customs and Arab covenants and the split in Arab ranks brought about by its aggression. It called for Arab solidarity and the strengthening of confidence between members of the single Arab family, and it noted the damage caused by the iniquitous invasion to Arab capacities and capabilities to the detriment of development issues and the concerns of the Arab citizen.

In this connection, the Council stresses the importance, in order to forestall the collapse of the Arab edifice and heal the rift, of action unequivocally based on adherence in both policies and practices to the principles of respect for Arab neighbourliness, and not on interference in internal affairs, the resort to force and methods of intimidation and political blackmail, so that all material and human resources can be put to use in the service of Arab and Islamic causes and in assuring a better future for Arab citizens in all parts of the Arab world.

The GCC countries have made an effective contribution to promoting Arab development efforts at all levels - bilateral, regional and international. Given the desire of the GCC countries for the elaboration of new inter-Arab approaches to development and given their understanding of the importance of there being a common Gulf development policy in the framework of their continuing support for the economic development of the Arab countries in general, in accordance with a new concept that takes account of the contribution that such an effort can make to political stability and regional security in light of the economic difficulties caused by the Iraqi aggression against the Arab world, the Supreme Council decided to establish a programme to support development efforts in the Arab and Islamic countries basically with the aim of encouraging economic openness and the trend towards the market economy, improving Arab economic performance and mobilizing international support for the Arab development process through international funding institutions and national development assistance agencies for the benefit of national development programmes in the Arab States. The GCC countries expressed their resolve to provide the programme with the necessary resources and, accordingly, the Ministers of Finance of the GCC countries will meet next week in order to draw up detailed rules, to determine the amounts of the contributions of member States to be allocated to the programme and to establish a scale of assessments for each according to its capacities.

The Supreme Council reviewed developments with regard to the question of Palestine and expressed its concern at the negative impact on the Palestinian cause of the Iraqi aggression against the State of Kuwait. The Council recalls its previous resolutions and declarations on the issue and reiterates its commendation

of the heroic struggle of the Palestinian people in its valiant intifadah against the authorities of the iniquitous occupation and their repressive and arbitrary practices. Affirming the full support of its member States and their unconditional backing for the historic intifadah of the Palestinian people, the Council urges the international community to provide every kind of support and assistance to the intifadah and to the people of the occupied territory in their ordeal and to endeavour to expose terroristic Israeli methods, and the occupation and its tyranny and bring a halt to such arbitrary measures as the expulsion of Palestinians and the demolition of their homes, which are incompatible with the principles of human rights and in breach of international law and international covenants.

The Council welcomes the adoption of Security Council resolution 681 (1990) on the provision of international protection to the Palestinians in the occupied territories and the Security Council's call for the convening of an international peace conference on the question of Palestine. The Supreme Council reaffirms its support for the convening of the conference with the participation of all the parties concerned, including the State of Palestine, and calls for the necessary measures to be taken for its realization.

With regard to the situation in Lebanon, the Council noted with deep satisfaction the recent positive developments there and the extension by the legitimate Government of its authority over Greater Beirut and other parts of the country. The Council expresses the hope that the complete unity and territorial integrity of Lebanon will be restored. In this connection, it expresses its appreciation of the efforts made by the Custodian of the Two Holy Mosques, by His Majesty King Hassan II and by His Excellency President Chadli Bendjedid and of the constructive role played by His Excellency President Hafez al-Assad in assisting the legitimate Government of Lebanon. The Council appeals to the international community to maintain its support for the Taif Agreement.

The Council reaffirms its support for His Excellency President Elias Hrawi and its hope for the restoration of security and stability to all Lebanese territory. The Council, recalling Emergency Arab Summit Conference resolution 185, in which it was decided to establish an international fund for the reconstruction and development of Lebanon, affirms its support and backing for the fund so that Lebanon may be able to proceed with its reconstruction and play its civilizing role in the Arab and international arenas.

Relations with Iran

The Council welcomes the desire of the Islamic Republic of Iran to improve and expand its relations with all the countries of the Gulf Co-operation Council. The Supreme Council affirms the importance of vigorous and realistic action to resolve the outstanding differences between Iran and its member States so that the countries of the region may set about achieving their desired goals and utilizing their resources for purposes of overall economic development. The Council affirms its desire to establish good relations with Iran on the basis of good-neighbourliness, non-interference in internal affairs, respect for sovereignty and independence, and peaceful coexistence based on the bonds of religion and heritage that link the countries of the region.

International changes

The Supreme Council considered the report prepared by the tripartite ministerial committee to study international changes and evaluate their effects on the GCC countries. In its belief in the importance of keeping pace with the requirements of international developments so as to safeguard the interests of its member States and their peoples, the Council endorsed the recommendations submitted to it.

The Council welcomes the new spirit of reconciliation between East and West, and it expresses its satisfaction at the political and economic openness observed in the eastern half of the European continent in view of the role that it can play in and the effective contribution it can make to the promotion of world peace and the utilization of human resources for purposes of development in contrast with the squandering of wealth in burdensome and useless arms races. The Council commends the spirit of rationality in the new international intercourse based on mutual respect for sovereignty, a balance of interests and the rejection of aggression, treachery and occupation.

The Council further welcomes the reunified German Republic as a factor making for stability and an active element within the international community for the promotion of development and international change in a world in which there reigns a spirit of peace, mutual understanding, rationality and wisdom and where prosperity prevails.

The Council would like to renew the expression of its solidarity with the developing countries and its continuing support for them in their efforts to develop their economies and improve the standard of living of their citizens. It affirms that its preoccupation with the consequences of the criminal Iraqi aggression will not divert the GCC countries from continued co-operation and solidarity with the developing countries in their endeavours for the establishment of a more just and more balanced international economic order.

The Supreme Council decided to entrust the Secretary-General, Mr. Abd Allah Ya'qub Bisharah, with the task of pursuing the action in which he is engaged.

The Supreme Council expresses its great appreciation and gratitude to His Highness Sheikh Khalifa Bin Hamad Al Thani, to his Government and to his people, for their generous hospitality and for the kind reception encountered by the leaders of the GCC countries and the members of participating delegations, and it commends the exemplary preparations and painstaking arrangements made both for the comfort of delegations and in order to ensure the success of the summit.

The Council looks forward to meeting, God willing, at its twelfth session, to be held in Kuwait in December 1991 at the invitation of His Highness Sheikh Jaber Al-Ahmad Al-Jaber Al-Sabah, Amir of Kuwait.

Issued at Doha on 25 December 1990

ANNEX II

Doha Declaration adopted by the Supreme Council of the Gulf Co-operation Council at its eleventh session, 22 to 25 December 1990

Events and developments at the regional level and the consequences to which the Iraqi occupation of the State of Kuwait have given rise require, in all fields, a closer cohesion, a more secure linkage, stronger foundations for co-operation and improved co-ordination among the States of the Co-operation Council for the Arab States of the Gulf. The Iraqi aggression has overthrown all the established principles of inter-Arab relations. It had further threatened the security and stability of the States of the region and indeed security and stability in the world as a whole. It has exposed the existence of our Arab nation and its common destiny to the gravest of dangers.

That aggression, with the rift that it has caused in Arab solidarity and the set-back that it has brought to joint Arab action, now makes it essential to elaborate a clear and integrated strategy embracing the policies that must be pursued in future if a repetition of such aggression is to be avoided and to lay a firmer foundation for stronger relations among our Arab States.

The Iraqi invasion of the fraternal State of Kuwait having revealed the inadequacy of existing security arrangements within the framework of the Gulf Co-operation Council, Their Majesties and Their Highnesses do hereby declare:

1. That they affirm their commitment to the Muscat Declaration, adopted by the Supreme Council at its tenth session.

2. That it is essential that there should be a complete withdrawal, without restrictions or conditions, of all Iraqi forces from the fraternal State of Kuwait and that its legitimate Government, under the leadership of its Amir, His Highness Sheikh Jaber Al-Ahmad Al-Jaber Al-Sabah should be restored, in accordance with the resolutions of the League of Arab States, the Organization of the Islamic Conference and the United Nations.

3. That the elaboration of security and defence arrangements for the GCC countries ensuring the protection of the national security of each of the member States and the regional security of the six States members of the Gulf Co-operation Council will be carried through.

4. That they reaffirm the well-established position of principle of the GCC countries supporting the valiant Palestinian intifadah and promoting the Palestinian cause, which is the Arabs' primary cause and that for which it is incumbent on the international community to seek a just solution that will restore to this fraternal people its legitimate rights, principally its right to exercise self-determination and establish its independent State on the soil of its homeland.

5. That there will be greater political co-ordination among the GCC countries in the internal, regional, inter-Arab and international fields.

6. That economic co-operation among the GCC countries will be strengthened, in particular by:

(a) The development of new concepts of joint economic action in order to expedite the achievement of economic integration;

(b) The elaboration of a programme to carry through the establishment of a common market among the GCC countries, and agreement on a unified trade policy;

(c) The evaluation of the economic agreement with a view to deriving therefrom advantages that will achieve a balance of interests among member States and ensure that obstacles are circumvented.

7. That co-ordination among the information media in the GCC countries will be stepped up in order to cope with hostile information campaigns, and that a framework joint information plan for the GCC countries will be drawn up in order to monitor and analyse world information and guide the information media in dealing with it.

8. That support will be provided to the secretariat for the establishment of committees of experts to study the proposals made and develop them in the form of integrated plans for submission to the Ministerial Committees concerned.